

**56-2-6 Fencing rights of way to protect livestock -- Power of Public Service Commission to require.**

The Public Service Commission shall have the jurisdiction and authority to require every railroad company or corporation operating any steam or electric railroad in this state to erect and maintain fences on each side or either side of such railroad, where such railroad is not now required by law to erect and maintain fences, at such places as the commission shall determine such fences to be necessary to protect sheep, cattle, horses or mules or any other domestic animal being driven, ranged or grazed upon lands adjacent to such railroad from being wounded, maimed or killed by the operation or management of engines, cars or other rolling stock upon or over such railroad, with necessary openings and gates in such fences, and crossings and cattle guards.

No Change Since 1953